ML

ML

p26

G R S 58]
Previous references

File No 247-09.

1909.

Serial Nos 1-5

(Municipal)

Later references
C/B 55-13 & 112 B Jany 1916
C/L 390-27-1
C/L 151-30-1-4
" 100-33-1-12
" 40-34-1-8, 11-14
C/S 116-40 (12)
" 52-41 (11)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

Part B for Jan'y, 1911.

SUBJECT

Credit to Mun'l funds of fines and penalties levied for offences under the Mysore Mun'l Regulation of 1906 and Bye-laws thereunder

---

From the Dep. Com'r, Shimoga, no 170 & 10.1.10 Enquires whether fines and penalties levied by Magistrates for offences under the Mun'l Regulations may be credited to the Mun'l funds.

To the District Magistrates of Shimoga & Bangalore, no. 100/9-30 (4 & 10) Requests them to report the amounts of fine levied and received in their Courts for offences under the Mun'l Regulation during the last and the present year.

From District Magistrate, Bangalore, no. 28 4.7.10. Submits the information called for.

From DC, Shimoga, no 109/16 & 19.9.10: Submits the required information.

To no 6000-19 & 18.1.11: Directs that all fines etc. under the Mun'l Regulation should be credited to the Mun'l

G.R.11] 1909 10

GENERAL AND REVENUE SECRETARIAT

(Municipal)

NOTES

File No 247-09

FILE HEADING

Credit to Municipal Funds of fines and penalties levied for offences under the Mysore Municipal Regn of 1906 & By-laws thereunder

From

The Deputy Commissioner of the Shimoga District

No 170 Dated 10 3 1910 Received 12 3 1910

Diary No 6319	Enclos	Spare Copies	Serial No 1

BRIEF ABSTRACT OF LETTER

Enquires if fines and penalties ~~imposed~~ levied by Magistrates for offences under the Municipal Regulations and By laws thereunder may be credited to the Municipal funds, there being no distinct ~~order~~ provision to the effect in the Municipal Regulations of VII of 1906.

NOTES AND ORDERS

Section 246 of the Municipal Regulations of 1871 was as follows

" The Magistrate by whom any fine or penalty is imposed by virtue of these Regulations may award any portion, not

Notes—First sheet

GPB—30 000—3 4 07

Mund File No 247 of 1909

Serial No

Not being more than one-half to the informer, and shall order the remainder or, if he make no award to the informer, the whole of such fine and penalty to be paid to the Commissioners, to be by them applied to the purposes of these Regulations."

2 The Mysore Municipal Regulation VII of 1906 does not contain a similar provision. Sec 51 of this Regulation deals with "Municipal Fund" In the section it is stated that "x x x, x, penalties, paid to or levied by them under the Regulation, x x shall constitute the Municipal Fund, and shall be held and dealt with in a similar manner to the property mentioned in the last preceding section" under Sec 50 (2), all property specified therein and not being specially reserved by the Government shall be under the direction, management and control of Municipal Councils and shall be held and applied by them as trustees, subject to the provisions and for the purposes of the Municipal Regulation.

GPB—56 000—27 4.09

The

Serial No.

The fine or penalty imposed by a Magistrate [Sec 161(2)] has not been reserved to Govt. Reading Secs 51 and 161 together it appears that the fines or penalties imposed for Municipal Offences ought to be credited to Municipal Funds. No orders of Govt seem to be called for in the matter. The Govt Advocate may, however, be consulted unofficially as to whether the above view is correct.

A. Submitted for orders

HMK 3/4

14/3 1910. 3 Under sec 51 of the Municipal Regulation, fines levied by the Municipal Council under the Regulation belong to them - ~~It is unnecessary to~~ The question is whether a fine imposed by a magistrate for a municipal offence and recovered in the manner laid down in sec 161(2) of the Regulation is a fine levied by the Municipal Council under the Regulation - If it is, the fine should be credited

Note—Contn sheet

Serial No.

to the Municipal Funds. The point however is not altogether free from doubt - ~~If~~ It seems only fair that such fines should be credited to the municipal funds as this was the rule under the old Municipal Regulation and is the rule in the case of fines imposed and recovered for infringements of the Village Sanitation Rules - An order may therefore issue directing that all such fines be credited to the municipal funds.

Secy) 16 3 10 DMW)

T.V.T with connl Rep^n 17/3

4 The application of Sec 162 (2) seems to be somewhat obscure & I am not sure whether it means that fines imposed by Magistrate for breaches of the Mun^l Regns & bye-laws are to be credited to the municipality Please consult Br III & also Govt advocate if necessary.

Tml-up

cfd 22/3/10

5 Forwarded to Br III for favour of opinion

22 3 10 DMW

6 Subd

contn sheet

SN 25/3/10

GPE—55,000—27 4.09

G. R. S. 12]
General and Revenue Secretariat.

File No. 247 of 1909

5

Serial No.

7 Please letter Burma how fines are credited under the Cattle Trespass, Arms, Village Sanitation, Excise Forest, and Special Reports.

10

Submitted

8 All fines recovered from offenders by under the order of the Magistrate passed at Criminal proceedings are I believe credited to the head "3 Fees Fines and Forfeitures under XII A — Law and Justice — Courts" There is a head "Fines and Forfeitures in the Forest", and Excise also and Revenue also but whether they include fines levied by order of Magistrate as a penalty for an offence is doubtful The principle seems to be that as in the case of criminal prosecutions, the Government and not the complainant if any is a party, the fine should be credited to Govt and not to the individual complainant except as a compensation by a special order of the Magistrate in cases where such a procedure is authorised by the Regulations The different regulations referred to above and the Civil Budget for 1909-10 are

"We are only concerned with the ones" underlined Mr Reg[n] 15/4

Note—Contin. sheet.

G. R. S. 12]
General and Revenue Secretariat

Jul File No 247 of 1909-10

Serial No

put up
SW
14/4/10 Supt.

9 There are Several claims recoverable under the Municipal Regulation" and Such of them as belong to the Municipal fund proper have to be recovered in accordance with the procedure laid down in Chapter VIII of the Regulation which deals Exclusively with the "recovery of Municipal claims" Fines for the breach of Sanitary laws unlisted Can also be recovered under the Municipal Regulation but not - it has to be noted - under Chapter VIII -. Another Chapter viz Chapter X Contains the rules in respect of the recovery of this class of Cases.

10 The word 'fine' has not been defined in the Regulation but it is presumed that this reference relates Solely to the recovery of fines imposed by a Criminal Court on account of the breach of the provisions of the Municipal Reg' The Regulation does not State

ontn sheet

BPG—55,000—27-4-09

C R S. 12]
General and Revenue Secretariat.

Ind File No. 247 of 1907

Serial No.

anywhere that these fines should be credited to the Municipal fund and in the absence of any special direction such fined should be dealt with like all other fines imposed by Criminal Courts - particularly because the

Provision Contained in the Old Reg" has not been repeated in the new.

11 Sec 16 (2) provides that Govt lays down a special procedure to be adopted for the recovery of fines imposed for offences under the Mun" Reg". The recovery will not be made by the Municipality but as usual, by the Police This has not been specially pointed out in the Section because it deals also with cases other than fines

12 But this Section does not say — how the fine when recovered should be disposed of It only deals with the mode of recovery.

~~The Govt Main for the Steady Govt aspect of the Case~~

No order or notification can, therefore be issued under the authority of this Reg" directing the crediting of the fines to the Municipal Fund But this does not affect the general power of Govt

Note—Contn. sheet.

GPB—55,000—27-4-09

(F. No. 12)
General and Revenue Secretariat

Ml File No. 247 of 1909

Serial No.	
	by means of an Executive order to make over such amounts to the Municipalities concerned should such a course be deemed desirable. 15/4/10 [illegible]
	To Br IV [illegible]
	13 Submitted
No no 173 of 22.4.10	Mng 14. Forwarded to the 19/4/1910 Govt Advocate for favour of opinion (vide Secy's note para 4 supra)
	By order M Nagarajarao 22/4/10 for Secy.
No 63 TV 25/4/10	15-The Municipal Councils are not entitled to the fines imposed by Magistrates on persons convicted of offences under Regn 7 of 1906. These fines, when recovered, are property at the disposal of Govt, and unless Govt make a grant, the Municipalities have no right to claim the same S Narayana Rao Govt Advocate 23/4/1910

Note—Contin sheet.

[illegible] 3925/4/10

[illegible]—34,000—27-4-09

G. S. 12]
General and Revenue Secretariat

631 | 9

Jud File No 247 of 1909

Serial No

16 Submitted

Jud org 17 In the Bombay
25 4 1910 Presidency, fines
levied for offences within
municipal limits under sections
61 and 62 of the District Police
Act and fines levied under the
District Municipalities Act
are credited to the Municipality
concerned under Govt Resolutions
(Vide the notes on pages 117 and
319 in Mr Cummings' Bombay
Dist. Municipal Manual) ~~The~~
It is said that the ~~[illegible]~~ issues of
the Bombay Gazette ~~[illegible]~~
containing the Govt Resolutions
are not forthcoming.

Secy) 30 4.10 Jud

18 What is the amount involved
say in Bangalore & Shimoga? Call for
information

C/S
2/5/10

Jud

19 Draft letter to the Dist Magistrate
Shimoga and Memo to the Dist Magistrate
of Bangalore are submitted

Jud org
25 4 1910

P 2 11

Contn sheet

[illegible] 1,000—11/08—[illegible] 8 C7

Form S 12]
General and Revenue Secretariat

Ind File No 247 6319 of 1909 125 10

Serial No

20 Issue

4-5-10 Jelly

2 To the District Magestrates of Shimoga and Bangalore
No 10079 dt 6-5-1910. Requests them to report
21 the amounts of fine levied and recovered in the
Shimoga Municipality for offences under the
~~Regn~~ Municipal laws during the past and
the present official year.

3 From the District Magistrate, Bangalore dt
No 29 dt 4-7-1910

22. States that the amount of fine levied
and recovered for offences under the Mysore Municipal
Regulation was as shown below -

1908-09.	Amount levied	Amt recovered	Balance
	54-12-0	54-12-0	0-0-0
1909-10	55-4-0	50-4-0	5-0-0.

23 The report of the District Magistrate
of Shimoga may be awaited

Blank yes
Jelly 9 " Jelly

4 From the District Magistrate, Shimoga No 109/16
24 dt 17-4-1910 reports that no fine has been
levied or recovered in the Shimoga Municipality
during the last 2 years for offences under the
Municipal Laws.

25. Submitted with reference to the Secy,

ontn sheet

GPB—50 000—17 8 07

Serial No

order dated 25th May 1910 The amount of fine
Wrong 28/9/10 recovered in the Bangalore (during 2 years was Rs 105
and retuning in Shimoga

26 Secy) 30-9-10

The amounts in question are likely to be very small & there can be no objection to making them over to the municipality, but this has to be done by an order of Govt & not under by any rule under the municipal Regn -

27. Please submit a draft order & consult Govt also

Govt 285
Mpl
T Proc

28 Submitted 29 Govt does always help these Misc/Mpl municipalities whenever they are in debts and even otherwise & contributions. The amounts under are not large and would not benefit the municipality to any appreciable degree, nor per Contra is the Govt directed thereby of its obligation to do so to the chief of debts Therefore I do not see any reason, therefore, why Govt should not grant these to municipalities, this

Contn sheet

G R S. 12]
General and Revenue Secretariat.

Ind File No. 247 of 1909

Serial No

18

Are the Stamp Duty Rules to be retained (Secy)

30 In places where there are special Municipal Magistrates (paid by Municipalities) the course suggested would be justifiable. As a general rule all charges in connection with the courts which by these Acts would come on the local revenues. (Secy)

31 Submitted (with the draft order directed by the Secy in para 27 Supra)

(Sd) (Secy 32 Secy) 2 11 10

33. Submitted

34 I shall be glad to be favored with the opinion of the Secretary

35 Submitted to Secy

Note—Contin sheet.

G. R. S. 12]
General and Revenue Secretariat.

Ind File No. 247 of 1909

To see letters of Ind. Ref.

Serial No.

36 Under S. 51 of the Municipal Regulation, all fines and penalties paid to or levied by the Municipalities under the Regulation, form part of the Municipal Fund. I cannot find a single case in the Regulation in which any fine or penalty can be levied by a Municipal Board without recourse to a Magistrate. Under S. ~~160~~ 161, the Municipality has to institute prosecutions before Magistrates, and all fines imposed by them are directed to be recovered by distress 'on application to the Magistrate'. Under S. 164, the Municipality may file a suit in ~~lieu~~ lieu of proceeding by distress. In either case it is the Municipality that recovers the fines &c imposed by Magistrates in all ~~proceedings~~ prosecutions under the Municipal Regulation. I am therefore of opinion that all fines imposed in such cases including cases outside the Regulation in which the Council "may direct any pro-

(If I am wrong, the Addl Secretary will please point out such cases.)

Note—Contin sheet.

BPG—55,000—27-4-09

Serial No.

section for any public nuisance whatever" (S. 161) are clearly to be credited to the Municipal Fund.

37 This view is suggested by the Asst Secretary (Mel) in his note on p 3, but it seems not to have been taken into consideration in the other opinion subsequently given.

14/12/10

37. Submitted I have not been able to find any provision in the Regulation under which a penalty may be levied by a municipal council without recourse to a magistrate.

1st Cr. 20 12-10

1791
22 12 10

38 Please draft an order allowing the views of the 2d Councillor the matter may have to go before the Diwan & Council.

14/12

39 What is the procedure in matters of Bombay? 22/12/10

22-12-10

G. R. S. 12]
General and Revenue
- Secretariat.

Jud File No. 247 of 19 09

Serial No.

40 Draft order is submitted.
41 Under the Madras District Municipalities Act- any fine, compensation or penalty imposed by virtue of the Act are awarded by Magistrate to the Municipal Council. [Sec 286(3)] In Bombay the proceeds of fines and penalties [S 161 (2)] are given by Govt to the Municipality Concerned.
HM 80 Mrs 42 (Vide Supra - notes on 27/12/1910 page 9, dated 30 4 10)
In the City of Bombay Municipal Act, Sec 111, it is provided that "all fines levied by any Magistrate in respect of any offence against the provisions of this Act or of any regulation or by-law made under this Act" shall be credited to the Municipal Fund -
43. The Madras City Municipal Act also provides in section 454, Sub section (3) that "the Magistrate by whom any fine is imposed by virtue of this Act shall award the whole of such fine to the Corporation to be by them applied to the purposes of this Act"
18 Cr) 31 12 10 Mle

Note—Contin sheet

GPB—50,000—12-6-10

Serial No.

1833
5.1.11

4 From the Office notes it will be seen that as a rule these fines imposed under the municipal Regulations are credited in British India to the Municipalities concerned. This was also the rule in force under the old municipal Regulations.

5 The draft order may be approved

Dewan

5/1/11

9592
5.1.11

Sd/ Approve the Draft

5/1/11

Issue

Sd/

5/1/11

5 To The Registrar, High Court, the Magistrate of the Presidency of Bangalore, the Secretary, City Municipal Council, the Deputy Commissioners of Districts, & the Commissioner No. 6000-192 (15) 11 Directs that all fines & compounded under the M.C. Regn. including cases outside the M.C. Regn. in which the Council may direct any prosecution of any prosecution for any public nuisance whatever are clearly to be credited to Municipal fund & directs that they be credited

Note—Contin. sheet

GPS—10,000—12-10

1910

From M Narain Rao Esqre.,
President of Municipalities
Shimoga District

To C. S. Balasundaram Iyer Esqre
Officiating Secretary to Government
General & Revenue Department

Dated Bangalore

Despatched 10th March 1910

Received

General No 170

No

Enclosure No.

Submits report to frame rules under Municipal regulations in re existing fines inflicted under Village Sanitary Rule

No

Office of the President of Municipalities,
Shimoga District.

A. 6319. Dated - Shimoga - 10th March 1910

From

M Narain Rao Esquire, MRL 247-09
President of Municipalities, 9.1
Shimoga District.

To C S Balasundaram Iyer Esquire, B A
Officiating Secretary to Government,
General and Revenue Departments,
Bangalore.

Sir, I have the honour to state that under Rule 2, Section VIII of the Rules framed under the Village Sanitary Regulation (Vide Government Order No Genl 3206 Legis 16 dated the 29th August 1898) all fines and penalties recovered in accordance with the provisions contained therein are specifically directed to be credited to the Municipal or District Funds as the case might be to be applied for the purposes of Sanitation within the area in which the offence occurred.

2 Now that Shimoga Town with its suburbs has been constituted into a Municipality under the new Municipal Regulations, the Village Sanitary Rules have ceased to be operative within the Municipal limits of the Shimoga Town, according to Part I of the Notification published with the Government order above quoted.

3 The infringements of Sanitary and other Rules as well as bye-laws have now to be dealt with under the Municipal Regulations

Regulations in a regulated Municipality, Except what might be inferred by implication from the provisions of Section 51 read with Section 161 (2) of the Municipal Regulation, there is no distinct rule or direction in the said Regulation to enable the Magistrates and the Municipal authorities to credit fines and penalties levied under the Municipal Regulation to the Municipal Funds for being applied to Municipal purposes

4. I request therefore that you will be so good as to move the Government for early orders on the Subject as recently an instance has occurred calling for a decision on the point

I have the honour to be,
Sir,
Your most obedient servant,
[illegible]
President of Municipalities
Shimoga District

2

G.R.S. 20]

4/5/10
6319

Diary No of letter replied to

General and Revenue Secretariat
(Mund)
, the 190

Date of issue 6 5 10

Signed by

Sun 26th 09

247
File No 09
Serial No 2

No 10,079
Mund-09-
26-5-10

To

The District Magistrate,
Shimoga

Sir,

Referring to letter No 170 of the 10th March 1910 from the Dy Comr of the Shimoga Dist enquiring if fines and penalties levied by Magistrates for offences under the Mysore Mund Regn VII 1906 and the bye-laws there under may be credited to Municipal funds, I am directed to request you to report the amounts of fine levied and recovered in the Shimoga

SUBJECT

Municipality for Various offences under Municipal laws during the past and the present official year

I have the honour to forward herewith a copy of the list of persons convicted by the Asst. Magistrate, Bangalore District, for various kinds of offences under the Municipal laws during the past and the present official year in regard to the Bangalore City Municipality.

I have the honour to be,
Sir,
Your most obedient servant,
for Chief Secy.
5/2/1910

From
The Asst. Magistrate, Bangalore
Dated 10.2.10

Copy forwarded to the Asst. Magistrate, Bangalore District, for information as regards the Bangalore City Municipality.

By order,
for Chief Secy.

2-5-1910

List of enclosures,

Copied by [illegible] 5-2-10
Examined by

GPB—10,000—30-5-08

Regulations

1910—11

From The District Magistrate
Bangalore District

To The Secretary
Government of Mysore
Gen & Rev Department

Dated 4
Despatched } July 10
Received

General No.
3 No 2

Enclosure No.

Mes No 10,079 dated the
Mel 247-09-2
6th may 1910

Remitting out- the fine levied and recovered in the Bangalore City Municipality during the past and the present official year for offences under the Mysore Municipal Regulation VII of 1901 and the bye-laws there-under

S No 2 x 125

Bangalore District
Deputy Commissioner's Office
Dated 4th July 1910

From B J Kumaraswami Naik Esq, B.A
District Magistrate,
Bangalore District.

Mr 247-09/SL3

To C. S Balasundaram Iyer Esq., B.A.
Officiating Secretary to Government
of Mysore
General and Revenue Departments

Sir,

As requested in your letter no 10079 dated the 6th May 1910, I have the honor to note in the margin the amounts of fine levied and realised in the Bangalore City Municipality during the past and the present official year for offences under the Mysore Municipal Regulation VII of 1906 and the bye-laws there under.

	Amount levied	Realised	Balance
1908-09	Rs 54-12-0	Rs 54-12-0	"
1909-10	Rs 55-4-0	Rs 52-4-0	Rs 3-0-0

I have the honor to be
Sir,
Your most obedient servant,

District Magistrate.

Lsm

Mis 264 [illegible]

1910-11

From K. Srinivasa Rao Esquire
District Magistrate
Shimoga

To C.S Balasundaram Esquire I.C.S
Offg. Secretary to Government
General and Revenue Department

Dated 17th September 1910

Despatched

Received

General No. 107
No 16

Enclosure No. —

---

with reference to his letter
No 10079—Mil 247—09—2
dated 6th May 1910, Says
that there were no fines
levied during the past
two years for offences
under Municipal bye laws
in the Shimoga Munici-
pality

GPS—10 [illegible]—27 12-09

District Magistrate's Court, Shimoga

No 109/16 dated 19th September 1910

From K Srinivasa Rao Esquire Mepl-247-09-4
District Magistrate
Shimoga

To C.S Balasundaram Iyer Esquire B.A
Offg Secretary to the Government of
His Highness the Maharaja of Mysore
General and Revenue Departments

Sir

Adverting to your letter no 10.079 —
Mel 247-09-2 dated 6th May 1910 requesting
to report the amounts of fine levied and
recovered in the Shimoga Municipality
for offences under Municipal laws
during the past two years, I have the
honor to report that during the past two
years no fine has been levied or
recovered in the Shimoga Municipality
for offences under Municipal Byelaws

I have the honor to be
Sa
Your most Obedient Servant

K Srinivasa Rao
District Magistrate
Shimoga

To

[G.S. 28.]

247

File No 95

Serial No 5

Diary No of letter replied to 1996

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT

(Memo)

, the 19

Date of issue

Signed by

( )

READ—

Letter No 1703 dt 6th March 1910 from the President of Municipality Shimoga Dist. Ordering orders to credit to Municipal Funds the pleasure penalties levied by Magistrates for offences under the Municipal Regulation VII of 1906 and the by-laws thereunder, there being no distinct provision in the Regulation to the effect.

2 Letters No 2 dt the 4th July 1910 from the Dist Magistrate, Bangalore

over

SUBJECT

GPB—10,000—9-12-09

17/7/11 14/7/11

Def- stating that the amount of fine imposed and received during the years 1908 09 and 1909-1910 for offences under the Municipal Regulation was as shewn below

Year	Amount of fine imposed	Amount received	Balance
	Rs as ps	Rs as ps	Rs as ps
1908 09	54-12-0	54-12-0	0-0-0
1909-10	55-4-0	50 4-0	5-0-0

3 Letter No 109/16 of the 17th September 1910 from the District Magistrate Shemoga District, reporting that no fine was levied during the two years ending 1909-10 for offences under the Municipal Regulation in the Shemoga Municipality—

Order thereon No 6000-11 of 1910-11

Dy

Under Sec 51 of the Mysore Municipal Regulation, moi ties and penalties paid to or

D 1691/24-09
[Feb. S. 27]

(1)

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form)

or levied by a Municipality under the Municipal Regulation, form part of the Municipal Fund the mode in which a penalty may be levied is described in Sec 161 of the Regulation that Section lays down that the Municipal Council may institute a prosecution before a Magistrate and recover on application to such Magistrate the fine, if any, imposed by him by distress and sale of movable property Thus it is the Municipal Council that recovers the fines and penalties imposed by Magistrates in all prosecutions under the Municipal Regulation The Government are therefore of opinion that all fines imposed in such cases including cases outside the Municipal Regulation in which the Council "may direct any prosecution for any public nuisance whatever" are

Sec 161

MGGPS—500—3-09

10

are clearly to be credited to the Municipal Fund, and direct that they be so credited in future.

Sd/-
for offg Secretary

80
31/1/1910

To

The Registrar, Chief Court
District Magistrates
" Presidents of the Bangalore & Mysore City Muni Councils
" Dy Comrs of Dists for information & Communication to the Presidents of Muni Councils & Boards
Comptroller

(Print)
Yes.
Sd/-
12/1/11
RM
5/1/11

Proceedings of the Government of His Highness the Maharaja of Mysore Local Fund and Sanitary (Municipal), dated 18th January 1911

READ—

Letter No 170 dated the 10th March 1910 from the President of Municipalities Shimoga District, soliciting orders to credit to Municipal Funds the fines and penalties levied by Magistrates for offences under the Municipal Regulation VII of 1906 and the bye laws thereunder there being no distinct provision in the Regulation to this effect

2 Letter No 2 dated the 4th July 1910 from the District Magistrate Bangalore District stating that the amount of fine imposed and recovered during the years 1908 09 and 1909 10 for offences under the Municipal Regulation was as shown below —

Year	Amount imposed	Amount recovered	Balance
	Rs a p	Rs a p	Rs a p
1908 09	54 12 0	54 12 0	
1909 10	50 4 0	50 4 0	0 0 0

3 Letter No 109—16 dated the 17th September 1910 from the District Magistrate Shimoga District reporting that no fine was levied during the two years ending 1909 10 for offences under the Municipal Regulation in the Shimoga Municipality

---

No 6000 19—ML 247 09 5, DATED BANGALORE, 18TH JANUARY 1911

ORDER THEREON —Under Section 51 of the Mysore Municipal Regulation all fines and penalties paid to or levied by a Municipality under the Municipal Regulation, form part of the Municipal Fund The mode in which a penalty may be levied is described in Section 161 of the Regulation That section lays down that the Municipal Council may institute a prosecution before a Magistrate and recover on application to such Magistrate, the fine if any imposed by him by distress and sale of movable property Thus it is the Municipal Council that practically recovers the fines and penalties imposed by Magistrates in all prosecutions under the Municipal Regulation The Government are therefore of opinion that all fines imposed in such cases including cases outside the Municipal Regulation in which the Council 'may direct any prosecution for any public nuisance whatever' (Section 161) are clearly to be credited to the Municipal Fund and direct that they be so credited in future

C S RATNASUNDARAM IYER
Offg Secy to Govt Gen & Rev Depts

To—The Registrar Chief Court of Mysore
The District Magistrates of Districts
The Presidents of the Bangalore and Mysore City Municipal Council
The Deputy Commissioners of Districts for information and communication to the Presidents of Municipal Councils in their Districts
The Comptroller Mysore Government

Exd —C R

1910-11

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

LOCAL FUND AND SANITARY (MUNICIPAL)

PROCEEDINGS

Dated 18th January 1911

No 6000-19
Ml 247-09 5

Passes orders in the matter of crediting to Municipal Funds, the fines and penalties levied by the Municipal Council under the Municipal Regulation, VII of 1906

GPB—21 1 11—250